

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated October 16, 2007. A Petition for Extension of Time (one month) and the fee therefor are submitted herewith.

Claims 1-3, 5-7, and 9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nealon (5,463,659), in view of Kim (6,882,860), and Morgenthaler (6,310,609). Reconsideration of the rejection is respectfully requested.

Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over Nealon, in view of Kim, Serrano (5,640,441), and Morgenthaler. Reconsideration of the rejection is respectfully requested.

The Examiner alleges that Nealon et al. discloses “key allocation information indicating whether the input of any one of said keys is valid or invalid,” (Office Action, page 3, lines 2-3), citing Fig. 3; 310 - Fig. 3; 311 and Fig. 3, 318 - Fig. 3; 319, (Office Action, page 3, lines 3-4). The Examiner admits that Nealon et al. does not expressly teach “the key allocation information being updated after a change of a hierarchy of the menu, the change of the hierarchy of the menu occurring after the discrimination that the input of any one of said keys other than a power supply key is valid,” (Office Action, page 4, lines 1 and 5-8). The Examiner, however, alleges that Morgenthaler teaches “the key allocation information being updated after a change of a hierarchy of the menu, the change of the hierarchy of the menu occurring after the discrimination that the input of any one of said keys other than a power supply key is valid,” citing Fig. 4; 410 - Fig. 4; 422 and column 6, lines 33-52, (Office Action, page 4, lines 16-20).

Although Morgenthaler appears to disclose the indication of valid keys for various menu options, (see column 6, lines 48-52), the attempted combination of Morgenthaler with Nealon et al. to supply the admitted deficiency of Nealon et al., it is respectfully submitted, would contradict the express teaching of Nealon et al., and change the operation of Nealon et al.

Specifically, in Fig. 3 of Nealon et al., element 310, referred to by the Examiner, indicates that only a number key from 1-3 is considered to be a valid key press, in which a case a happy tone is sounded at the headset, as evidenced by element 311 in Fig. 3, and any other key press, as evidenced by elements 318 and 319 in Fig. 3, results in a sad tone at the handset, indicating an invalid key press, (see also column 9, lines 9-25). Thus, there appears to be no capacity in Nealon et al. for updating key allocation information after the change of a hierarchy of a menu, the change of the hierarchy of the

menu occurring after the discrimination that the input of any one of the keys other than a power supply key is valid, as required by independent claims 1, 5, 9, and 10. Indeed, it appears that the number keys 1-3 represent handset 20, 30, and 40, (see column 9, lines 12-13 and 19; Fig. 1). It seems that the maximum variation of the valid numbers during the registration process of the handsets is governed by the number of handsets to be registered in total.

Thus, any possible updating of the valid key presses is governed by changing the number of handsets to be registered, not by a change of hierarchy of a menu after a valid key input other than input of the power supply key, as required by independent claims 1, 5, 9, and 10. What happens after a valid key press in Nealon et al. is that a happy tone is sounded at the handset and the handset is registered, (see Fig. 3, 311, 312); no change of hierarchy of a menu and no updating of key allocation information after a valid key press appears to be disclosed, taught, or suggested by Nealon et al.


Since each of claims 2-3 and 6-7 is directly or indirectly dependent upon one of independent claims 1 and 5, each of claims 2-3 and 6-7 is allowable for the same reasons recited above with respect to the allowability of the appropriate one of independent claims 1 and 5.

In view of the foregoing remarks, allowance of claims 1-3, 5-7, and 9-10 is respectfully requested.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims and pass this case to issue.

THIS CORRESPONDENCE IS BEING
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Respectfully submitted,


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